

UNITED STATES DISTRICT COURT
Eastern District of New York

Case No.: 21-CR46

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UNITED STATES,)
V.)
Lotfolah K. Afrasiabi,)
Defendant.)

**DEFENDANT'S EMERGENCY LETTER TO THE COURT CONCERNING
DEFENDANT'S MOTION TO DISMISS STANDBY ATTORNEY SABRINA SCHROFF
AND TO APPOINT A NEW STANDBY ATTORNEY**

Defendant Afrasiabi, Pro Se, writes this instant letter to pray the court to grant the Defendant's Motion to Dismiss Standby Attorney Sabrina Schroff and to Appoint a New Standby Attorney, pending in court, in light of the approaching jury trial set for mid-May, 2023 and the Defendant's dire need for genuine and substantive legal assistance, hitherto lacking. In both the above-said motion and the preceding letter to the court on this matter, Defendant has explained the multiple reasons why attorney Schroff's removal from this case is warranted in the interests of justice. In addition, Defendant states the following:

- (a) Attorney Schroff has continued to be a great source of frustration and emotional upset for the Defendant by virtue of her consistent failure to perform her duty as a standby attorney.
- (b) Defendant, who is afflicted with multiple medical ailments requiring hospitalization in January, and who has been completely sidelined due to left foot injury (see the two letters of foot doctor Do reproduced at the bottom of this letter), and yet he cannot even count on attorney Schroff to help him locate a particular evidence in the mountain of evidence in government's possession. Attorney Schroff's response to the Defendant's request for help in this matter, on February 9, 2023, was simply "you are the lawyer" and you should do it.
- (c) It took more than three months of constant communication and complaints, involving dozens upon dozens of texts and emails, to attorney Schroff to finally request from the court assistance for a private investigator, who has informed the Defendant that the time "is short" and she is unlikely to be able to locate the address of various witnesses on the Defendant's witness list in a timely fashion. Had attorney Schroff not ignored Defendant's constant plea since November, acting instead in late January, there would be

no such problem adversely affecting the Defendant's defense. Defendant is likely to face a sham trial solely as a direct result of attorney Schroff's dereliction of duty that includes outright lies about a non-existing trial in December, exceeding her standby attorney by omitting certain medical records sent to her as exhibits to a motion to be filed on behalf of the Defendant, ex-communicating the Defendant over her stubborn refusal to consider subpoenaing the author Salman Rushdie, Schroff's conflict of interest, etc.

- (d) Furthermore, more than five months after the Defendant's initial submission of the witness list to attorney Schroff, her evasiveness, non-responsiveness, and the like are still on-going, e.g., in her communication to the Defendant last week, Schroff stated that she had not yet "studied" the witness list. Clearly, attorney Schroff is behaving like an obstructionist far removed from serving the interests of the Defendant and she should be removed. Attorney Schroff's egregious dereliction of duty complained of by the Defendant to the court clearly constitute a violation of the Defendant's constitutional right to enjoy the benefits of a legal assistance in this criminal action.

Respectfully Submitted,

Lotfolah Kaveh Afrasiabi, Pro Se

New England Comprehensive Foot and Ankle Group, LLC

2211 Massachusetts Ave

Cambridge MA 02140

617-821-6329

Yena Do, DPM
February 8, 2023

NAME: Lotfolah Kaveh Afrasiabi

DOB: 2/13/1958

ADDRESS: 542 Mount Auburn St
Watertown MA 02472

RX:

Patient is still under my care for left ankle pain without improvement. He will be undergoing an MRI to assess the causation of pain. Please excuse patient from work at this time until further re-evaluation.

DX: **Severe pain from left achilles tendonitis and peroneal tendonitis.**

PHYSICIAN SIGNATURE:

Yena H. Do, DPM

New England Comprehensive Foot and Ankle Group, LLC
2211 Massachusetts Ave
Cambridge MA 02140
617-821-6329

Yena Do, DPM
January 25, 2023

NAME: Lotfolah Kaveh Afrasiabi
DOB: 2/13/1958
ADDRESS: 542 Mount Auburn St
Watertown MA 02472

To Whom It May Concern:

Lotfolah Kaveh Afrasiabi was seen in my clinic on 1/25/23 for Peroneal tendonitis of the left foot and Sprain of deltoid ligament of left ankle/foot. Lotfolah has been placed in a walking cast and needs to be off his foot for the next two weeks to promote proper healing. Please excuse him from work for 2 (two) weeks, Lotfolah will be assessed for return to work upon completion of the 2 weeks around February 8th, 2023. Should you have any questions or concerns, feel free to contact the office.

PHYSICIAN SIGNATURE:

Yena H. Do, DPM